
Attachment to Testimony in Support of Raised HB 6400
Language to insert about background checks of employees and volunteers

Reference this excerpt from SB 193 of 2012

Sec. 2. (NEW) (*Effective October 1, 2012*) (a) Except as provided in subsection (b) of this section, each youth camp licensed pursuant to chapter 368r of the general statutes shall require an individual to submit to a state and national criminal history records check prior to the individual: (1) Beginning employment at the camp or (2) volunteering at the camp. The criminal history records check required under this subsection shall be conducted in accordance with section 29-17a of the general statutes.

(b) A criminal history records check under subsection (a) of this section shall not be required for any individual who has successfully completed a background check for immigration purposes in accordance with federal law not earlier than six months prior to the date such individual (1) begins employment at the camp or (2) begins volunteering at the camp. (c) The cost of the state and national criminal history records checks required under subsection (a) of this section shall be paid by the individual.

Sec. 3. Section 19a-422 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2012*): To be eligible for the issuance or renewal of a youth camp license pursuant to this chapter, the camp shall satisfy the following requirements...(4) prior to assuming responsibility for campers, staff shall be trained, at a minimum, on the camp's policies and procedures pertaining to behavioral management and supervision, emergency health and safety procedures and recognizing, preventing and reporting child abuse and neglect; (5) prior to employing any individual as staff, a criminal history records check shall be conducted for such individual in accordance with section 2 of this act;

Language Recommended by the Center for Youth Leadership

1. When you reference "any youth camp administrator, director or their alternate" in Section 1, Subsection B, you may want to add "*who is 18 years of age and older.*"

2. You may want to insert language that defines "volunteer" as someone who "...provides an on-going service at the camp, not necessarily under the supervision of a staff member who has passed a background check," as opposed to someone who will lead one workshop on a given day to a select group of campers.

3. The phrase "conducted by the camp" and the timing of the background checks are important because a handful of camps we researched accept background checks conducted by an employer or volunteer group. For example, a prospective employee or volunteer will say to a camp director, "I was hired by company X just last year. Will you accept the results of that check?"

Therefore, we suggest you re-write section 2(a) so it reads "...shall require a prospective employee or volunteer to submit to a state and national criminal history records check *that is conducted by the camp* prior to the individual (1) beginning employment at the camp and (2) beginning volunteer service at the camp, *and that he/she shall not start working/volunteering at the camp until the criminal history records check has been returned to the camp and camp administrators are satisfied with the results, per camp policy and state statutes.*"

The same holds true for item 5 in section 3 of SB193. It should read, "*prior to an individual starting employment or volunteer service, a criminal history records shall be conducted by the camp for such individual in accordance with section 2 of this act, with the results of the check accepted by camp administrators.*"

4. You will need to come up with language about individuals whose professional employment outside the camp requires a criminal background check. We're thinking here of teachers, police officers, firemen and others. For example, many of the camps we researched told us, "We don't do background checks on a teacher or other school employees because their school district conducts checks on them." As we all know, many professions do not conduct on-going reviews of employees' and/or volunteers' backgrounds.

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January Session,
2013

LCO No. 3197

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**AN ACT CONCERNING MANDATED REPORTERS AND REQUIRING
CRIMINAL HISTORY RECORDS CHECKS FOR YOUTH CAMP DIRECTORS AND
ALTERNATE DIRECTORS.**

Be it enacted by the Senate and House of Representatives in General Assembly
convened:

Section 1. Subsection (b) of section 17a-101 of the general statutes is repealed and the
following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) The following persons shall be mandated reporters: Any physician or surgeon
licensed under the provisions of chapter 370, any resident physician or intern in any
hospital in this state, whether or not so licensed, any registered nurse, licensed practical
nurse, medical examiner, dentist, dental hygienist, psychologist, a school employee, as
defined in section 53a-65, any coach or director of intramural or interscholastic athletics
at a school who is eighteen years of age or older, any coach or director of youth
athletics who is eighteen years of age or older, any coach or director of a private sports
organization or team who is eighteen years of age or older, any administrator, faculty,
staff, athletic director, athletic coach or athletic trainer employed by a constituent unit of
the state system of higher education or private institution of higher education who is
eighteen years of age or older, social worker, police officer, juvenile or adult probation
officer, juvenile or adult parole officer, member of the clergy, pharmacist, physical
therapist, optometrist, chiropractor, podiatrist, mental health professional or physician
assistant, any person who is a licensed or certified emergency medical services
provider, any person who is a licensed or certified alcohol and drug counselor, any
person who is a licensed marital and family therapist, any person who is a sexual
assault counselor or a battered women's counselor as defined in section 52-146k, any
person who is a licensed professional counselor, any person who is a licensed foster
parent, any person paid to care for a child in any public or private facility, child day care
center, group day care home or family day care home licensed by the state, any

employee of the Department of Children and Families, any employee of the Department of Public Health who is responsible for the licensing of child day care centers, group day care homes, family day care homes or youth camps, any youth camp director or assistant director, the Child Advocate and any employee of the Office of the Child Advocate and any family relations counselor, family relations counselor trainee or family services supervisor employed by the Judicial Department.

Sec. 2. (NEW) (*Effective October 1, 2013*) (a) Except as provided in subsection (b) of this section, the Commissioner of Public Health, within available appropriations, shall require each youth camp licensed pursuant to chapter 368r of the general statutes to conduct state and national criminal history records checks on any director or assistant director of a youth camp licensed pursuant to chapter 368r of the general statutes who is (1) a paid employee, or (2) a volunteer providing on-going services at the youth camp, prior to the director or assistant director performing any duties at the youth camp. If the director or assistant director is performing duties at the youth camp on the effective date of this section, the youth camp shall conduct a criminal records checks on the director or assistant director prior to the issuance or renewal of the youth camp's license pursuant to chapter 368r of the general statutes. The criminal history records checks required under this subsection shall be conducted in accordance with section 29-17a of the general statutes. The commissioner shall also request a check of the state child abuse registry established pursuant to section 17a-101k of the general statutes.

(b) The criminal history records checks required under subsection (a) of this section shall not be required for any director or assistant director who (1) has successfully completed a state and national criminal history records check for immigration purposes in accordance with federal law not more than six months prior to the date such director or assistant director (A) begins employment at the camp, or (B) begins volunteering at the camp, or (2) has previously submitted to state and national criminal history records checks pursuant to subsection (a) of this section.

Sec. 3. Section 19a-422 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

To be eligible for the issuance or renewal of a youth camp license pursuant to this chapter, the camp shall satisfy the following requirements: (1) The location of the camp shall be such as to provide adequate surface drainage and afford facilities for obtaining a good water supply; (2) each dwelling unit, building and structure shall be maintained in good condition, suitable for the use to which it is put, and shall present no health or fire hazard as so certified by the department and the State Fire Marshal or local fire marshal, as indicated by a current fire marshal certificate dated within the past year and available on site when the youth camp is in operation; (3) there shall be an adequate and competent staff, which includes the camp director or assistant director, one of whom shall be on site at all times the camp is in operation, activities specialists, counselors and maintenance personnel, of good character and reputation; (4) prior to assuming responsibility for campers, staff shall be trained, at a minimum, on the camp's policies and procedures pertaining to behavioral management and supervision,

emergency health and safety procedures and recognizing, preventing and reporting child abuse and neglect; (5) prior to engaging any director or assistant director as a paid employee or volunteer providing on-going services, state and national criminal history records checks shall be conducted on such individual in accordance with section 2 of this act; (6) all hazardous activities, including, but not limited to, archery, aquatics, horseback riding and firearms instruction, shall be supervised by a qualified activities specialist who has adequate experience and training in such specialist's area of specialty; [(6)] (7) the staff of a resident and nonresident camp shall at all times include an adult trained in the administration of first aid as required by the commissioner; [(7)] and (8) records of personal data for each camper shall be kept in any reasonable form the camp director may choose, and shall include (A) the camper's name, age and address, (B) the name, address and telephone number of the parents or guardian, (C) the dates of admission and discharge, and (D) such other information as the commissioner shall require. Any youth camp licensed under this chapter shall operate only as the type of camp authorized by such license. Such camps shall not advertise any service they are not equipped or licensed to offer. The license shall be posted in a conspicuous place at camp headquarters and failure to so post the license shall result in the presumption that the camp is being operated in violation of this chapter.